

**CITY OF NEVADA CITY
ACTION MINUTES
REGULAR CITY COUNCIL MEETING OF MARCH 22, 2017**

NOTE: This meeting is available to view on the City's website www.nevadacityca.gov – Go to Quick Links and Click on Agendas & Minutes and find the Archived Videos in the middle of the screen. Select the meeting date and Click on Video to watch the meeting. For website assistance, please contact Corey Shaver, Deputy City Clerk at (530) 265-2496, ext 133.

- City Council Meetings are available on DVD. To order, contact City Hall - cost is \$15.00 per DVD.
- Closed Session Meetings are not recorded.

REGULAR MEETING – 6:30 PM - Call to Order

Roll Call: Present: Moberg, Parker, Senum, Vice Mayor Strawser & Mayor Phelps

PLEDGE OF ALLEGIANCE

Led by North Star Chapter DeMolay

PROCLAMATION: Proclaiming March 2017 as DeMolay Month in Nevada City

PRESENTATION: Wild and Scenic Film Festival update provided by Melinda Booth, Film Festival Director

1. BUSINESS FROM THE FLOOR-PUBLIC COMMENT (Per Government Code Section 54954.3)

Please refer to the meeting video on the City's website at www.nevadacityca.gov.

2. COUNCIL MEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:

Please refer to the meeting video on the City's website at www.nevadacityca.gov for comments.

Additionally, City Manager Prestwich requested two agenda items be added to the Agenda that arrived too late in time to publish that also required action before the next City Council meeting:

- a. Under the Consent Calendar: Item 3E.

A Resolution of the City Council of the City of Nevada City for Designation of Applicant's Agent
Resolution for Non-State Agencies

- b. Under the Department Requested Items: Item 5C.

SB 649 (Hueso-San Diego), Wireless and Small Cell Telecommunications Facilities

Action: Motion by Senum, seconded by Moberg to add the two items to Agenda.
(Approved 5 – 0)

3. CONSENT ITEMS:

- A. Subject:** Award of Contract to Extreme Roofing for the Seaman's Lodge Roof in Nevada City
Recommendation: Pass Resolution 2017-18 awarding a contract to Extreme Roofing in the amount of \$87,200.00 for a new roof and insulation at Seaman's Lodge.
- B. Subject:** Award of Contract for the Nevada City Swimming Pool Structural Repair Project to Tricon Construction Inc.

Recommendation: Pass Resolution 2017-19 awarding a contract to Tricon Construction Inc. in the amount of \$429,814.00 for the Nevada City Swimming Pool Structural Repair project.

C. Subject: Fire Activity Report – February 2017

Recommendation: Receive and file.

D. Subject: 2nd Quarter Financial Update, Fiscal Year (fy) 16/17

Recommendation: Receive and file.

E. Subject: A Resolution of the City Council of the City of Nevada City for Designation of Applicant's Agent Resolution for Non-State Agencies

Recommendation: Pass Resolution 2017-17 for Designation of Applicant's Agent for Non-State Agencies.

Action: Motion by Senum, seconded by Strawser to approve Consent Items as presented
(Approved 5 – 0)

4. APPROVAL OF ACTION MINUTES:

A. City Council Meeting – March 8, 2017

Action: Motion by Strawser, seconded by Senum to approve March 8, 2017 Minutes.
(Approved 5 – 0)

5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

A. Subject: Nevada City Sphere of Influence Update (Oral Presentation)

Recommendation: Receive and file.

Action: Receive and file.

B. Subject: City of Nevada City City Budget Calendar 2017-2018

Recommendation: Review and approve the attached budget calendar with recommended operating and capital budget preparation schedule for fiscal year 2017-2018.

Action: Direction provided. Budget Hearing will be held May 17, 2017 from 9:00 a.m. to 11:00 a.m.

C. Subject: Senate Bill 649 (Hueso – San Diego), Wireless and Small Cell Telecommunication Facilities

Recommendation: Pass a motion adopting a position of **Oppose** for SB 649 (Hueso – San Diego).

Action: Motion by Moberg, seconded by Parker to approve oppose SB 649.
(Approved 5 – 0)

6. PUBLIC HEARINGS:

A. Subject: An Ordinance Amending Chapter 9.22 of Title 9 of the Nevada City Municipal Code Entitled "Prohibiting Medical Marijuana Dispensaries," and Renaming It "Medical Cannabis Dispensaries and Other Cannabis Business and Activity"; Adding Chapter 17.142 Entitled "Medical Cannabis Uses and Activity" to the Nevada City Municipal Code; and Amending Chapter 17.36 Entitled "Local Business Zone," Chapter 17.40 Entitled "General Business Zone," and Chapter 17.48 Entitled "Light Industrial Zone" (1st Reading)

Recommendation: Hold a public hearing, waive reading of the Ordinance; read title only, and hear a first reading of the Ordinance.

Action: Motion by Senum, seconded by Strawser 1) finding that adoption of the Ordinance is not a "project" under the California Environmental Quality Act (CEQA), because the Ordinance will allow for the establishment of medical cannabis dispensaries to operate in a similar manner as traditional pharmacies which will not cause a direct physical change in the environment nor a reasonably foreseeable indirect physical change in the environment; 2) waiving reading of the Ordinance and reading title only; 3) increasing the age requirement of employees from 18 to 21; and 4) revisiting quantity of dispensaries again in one year.

(Approved 5 – 0)

7. OLD BUSINESS:

- A. Subject:** An Ordinance of the City of Nevada City Adopting and Adding Chapter 17.140 Entitled “Personal Cannabis Cultivation Regulation” To Title 17 of the Nevada City Municipal Code (2nd Reading)
Recommendation: Introduce for second reading Ordinance an Adding Chapter 17.140 To The Nevada City Municipal Code Entitle “Personal Cannabis Cultivation Regulations,” waive reading of the Ordinance, read title only, and adopt the Ordinance.

Action: Motion by Senum, seconded by Strawser to 1) Adopt Resolution 2017-20 and introduce for second reading Ordinance 2017-05 Adding Chapter 17.140 to the Nevada City Municipal Code Entitled “Personal Cannabis Cultivation Regulations,” waive reading of the Ordinance, read title only, and adopt the Ordinance.

(Approved 5 – 0)

8. NEW BUSINESS:

- A. Subject:** California Cultural Districts (Pilot Program)
Recommendation: Pass Resolution 2017-21 1) regarding partnership and submittal of a letter of intent in support of a Grass Valley-Nevada City Cultural District Designation; and 2) authorizing the City Manager to execute agreement, subject to legal review.

Action: Motion by Senum, seconded by Parker to pass Resolution 2017-21 regarding partnership and submittal of a letter of intent in support of a Grass Valley-Nevada City Cultural District Designation; and 2) authorizing the City Manager to execute agreement, subject to legal review.

(Approved 5 – 0)

9. CORRESPONDENCE:

10. ANNOUNCEMENTS:

Please refer to the meeting video on the City’s website at www.nevadacityca.gov.

11. CITY MANAGER’S REPORT:

12. ADJOURNMENT – 8:33 p.m.

Evans Phelps, Mayor

ATTEST:

Niel Locke, City Clerk